In this life we want nothing but facts, sir; nothing but facts.

– Charles Dickens, *Hard Times*

In this essay I discuss the challenges of teaching Talmud in a postmodern age and my attitude for dealing with them.

In the **first section** I provide the intellectual background to my approach, using art, particularly literature, as an entry point. I reference thinkers from disciplines ranging from literary criticism to Judeo-Christian thought.

In the **second section** I outline the steps of my method to learning a Talmudic *sugiya* (dialectic).

In the **third section** I provide several examples from different *sugiyot* illustrating and concretizing the approach discussed in the second section.

In the **fourth section** I submit some tentative conclusions.

An **addendum** is added with reflections and appraisals concerning the examples of the third section.

Part One: A New Kind of Reader

Continental philosopher Gilles Deleuze proposes a novel and intriguing way for thinking about culture, history, and epistemology (the way we acquire knowledge), for which he used the term "rhizome." Adopted from botany, where it denotes the subterranean tendrils of a tree, the rhizome is more generally a non-linear, non-vertical system of connections and associations, as Deleuze explains:

> Unlike trees or their roots, the rhizome connects any point to any other point, and its traits are not necessarily linked to traits of the same nature ... it is comprised not of units but of dimensions. It has neither beginning nor end, but always middle from which it grows and which it overspills. (*A Thousand Plateaus*)

Deleuze employs the rhizome model to consider knowledge in a way that resists conventional linear 'root-tree' models – models that chart knowledge 'vertically' from cause to effect, along chronological, linear paths, always looking for the *original sources of things*. The rhizome asks one to consider knowledge as a map, an eclectic assembly, a wide array of 'attractions' and 'influences' that can be said to progress 'horizontally' rather than 'vertically,' or, in American analytical philosopher W. V. O Quine's parallel expression "a web of beliefs" which spans intricate and disparate data like a large net or web .

Such a non-linear model of knowledge can be a unique way to put forward one's ideas, advancing one's arguments 'horizontally' (that is, associatively) by introducing new and seemingly unrelated material into one's discussion, rather than developing one's propositions 'vertically,' i.e. in a straightforward, direct fashion.

We often have a bifurcated vision of reality: on the one hand, we assume that nature is governed by 'law,' and that it is 'regular' and 'reproducible' under the correct conditions; science has traditionally been practiced and understood in light of this assumption, derived from the Eleatic school of Parmenides, which argued against the idea of 'change' in the universe and maintained the notions of the conservation of energy and the indestructibility of matter.

On the other hand, we often *intuit* a different reality. This reality is non-deterministic, irregular, open, changeable, and in flux. There is a possibility for freedom, for creativity, for spirituality, and for metamorphosis. Human consciousness is not governed by 'law,' but rather is a free and spontaneous agent. Thus we are capable of artistic creation that seems to develop independently of the 'facts of the universe.'

Some thinkers have viewed this 'freedom' as a portion of deterministic reality that had been intentionally vacated or 'carved out' by the Creator to permit human creativity. In the Bible, the universe is a result of the miracle of Creation. It *came into being* and is therefore mutable, not an eternal, infinite, stagnant entity. In the Bible's telling, mutability stands at the very core of our existence.

In this view, the 'facts of reality' do not necessarily contain meaning in and of themselves. Even facts can undergo change – from, say, triviality to significance or from chaos to order –, as a reflection of the metamorphosis that we, mankind, the perceivers and interpreters of the facts, undergo. We seem to 'carve out' space from the law-driven, scientific reality that surrounds us

and to infuse it with our own voice. We treat reality as though it were a literary text; we become 'readers,' so to speak, of the universe.

Much has been written about the 'freedom' or 'standing' of a reader relative to a text, particularly by current structuralist and post-structuralist trends in literary theory. In the words of George Steiner, "the primary text is a phenomenon of freedom. It can be or not be. The hermeneutic-critical responses are dependent on that freedom." Viktor Shklovsky postulated ('Art as a Technique') that the goal of the artistic interpretation is to "*un*-familiarize" or "*de*-stabilize," to offer new and perhaps unconventional views in order to upset given "equilibriums." Michel Foucault argued ('The Masked Philosopher') that philosophy is the "displacement and transformation of frameworks of thinking … to think otherwise." In the course of 'reading' we are not merely observers: we are continuously replacing conventional understandings with bold and novel ones, discovering that 'meaning' or 'truth' can be manifest in more than one way.

It is the purpose of reading, of interpretation – of *art* – to open new vistas of exploration, to create new 'revelations.' Reading, according to H.G. Gadamer, is not simply about recovering the original intention of the author. Reading involves the "fusion of horizons," the encounter of a reader and a text, the establishing of a "dialectic" with the text. Reading is a dialogue not only in the present but also between the present and the past, spanning across disparate historical contexts.

Without active participation on the reader's part there would arguably be no literary work at all. All texts contain lacunae, anomalies, and 'indeterminacies' that require the reader to reconstruct

the text's meaning for his or herself. No text arrives whole; the reader must supply the missing connections, which in turn depend on the reader's free interpretation. Reading is not just a linear, cumulative affair, or an exercise in data collection. One's speculations, prejudices, and opinions generate a frame of reference from which one interprets. Indeed, what comes next may *transform* one's initial understanding, forcing one to reinterpret the text, or, to use another expression, 'reorient' oneself with respect to the text.

In postmodern parlance, ‘freedom’ is synonymous with privilege, independence, and autonomy, which one exercises in one's dialogue with a text. But are all texts, and by extension systems of thought, amenable and responsive to such freedom? A doctrinal, hierarchal system, such as one founded on revelation and religious texts, demands adherence and conformity, which to a modern sensibility suggests a limitation on freedom. What is the standing of the reader with respect to such texts?

It is my view that even with respect to religious texts the position of the reader is a privileged one. Far from limiting a reader's freedom, Jewish texts such as the Bible and the Talmud, in addition to insisting on the 'mutability' of reality, also invite the reader to *actively partake* in the shaping of their meaning and significance.

These days, the traditional texts for many read stagnant and stale. In their reading they have become objects or fossils, and do not kindle much personal affinity in the learner. To follow Martin Buber's famous contrast of the twin terms “I-Thou” vs. “I-It,” one can say that these texts have been relegated to the status of an It. Therefore, any possibility of an *awakening* resides in

introducing an alternative reading, an “I-Thou” reading, involving the learner partaking in the exegetical process by developing a personal, *individual* hermeneutic, transforming and elevating the text from a mere object, an It, to a subject, to a Thou. In Buber's words, “The particular It, by entering the relational event, may become a Thou.” In reading from a personal, active position, one learns to appreciate the 'Other' as more than just an object.

The enhanced awareness of the other in turn refines one's awareness of the Ultimate Other, of God. It is to this end that my efforts are directed as an educator, and in particular as a Talmud teacher. Setting the stage for sacred moments, attuning the learner to the holy – what Michael Fishban terms “sacred attunement” and David Hartman calls “the living covenant”: finding and appreciating God in the exegetical process. Rabbi Joseph B. Soloveitchik writes:

> When a person pours into his handwriting all of what his soul contains, he fills the cold, black letters, written on dead parchment, with holiness. The parchment and the letters are uplifted with human passion and become holy. Holiness in all realms cannot be realized without human initiative. (“A person is compared to a sefer Torah”)

In their famous dictum the Sages declare, “Turn it [i.e. the Torah] over and over, for in it there is all” (*Avot* 5, 22). But in the Munich manuscript there is a significant variant: “Turn it over and over, *for all of it is in you, and you are its all*.” It is we, the learners, who in our reading act as the trustees of the text. The sacred awaits the readers' *discovery* of it, a reading in the course of which they discover not only the text but themselves. Far from a regime of strict conformity and submission, it is from within a non-linear, free, and *creative* approach to the text that an educator may foster a heightened Jewish sensibility and a deeper commitment to Jewish tradition.

Rav Kook long identified some of the chief challenges educators face when attempting to communicate tradition that by its very nature can seem rigid and stagnant, when answers to questions prove insufficient, unsatisfying, or stifling, and fail to open new vistas for the learner into further inquiry:

> Educators and scholars come forth, seeing only the exterior; they too distract the mind from the true 'I,' and they add fuel to the fire, quenching thirst with poison, filling the minds and hearts with all that is external to them, and the self is gradually forgotten; and if the 'I' is absent then there can be no 'Him,' and then of course there can be no 'You.'
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> *"The breath of our souls is the Messiah of the Lord"* … He is not external to us, rather he is the breath of our soul; it is God we seek, it is our 'I' we seek, it is ourselves we seek. (*Orot Hakodesh*)

Rav Kook detected a genuine longing by the learners of his time for profound ideas, but at the same time an aversion to 'traditional' and perhaps obsolete discourse. For this reason he advocated teaching, contrary to common practice, "secrets of the Torah" (*sitrei torah*) – for generations imparted only to the worthiest of students – because he felt that people were prepared for them, and that the time was right for a different kind of knowledge. Using his signature idiom he argued for a new approach: "The impertinence [i.e. heresy] of our era, the era of the 'Heels of Messiah,' is due to the fact that the world has matured; they now demand to understand how the 'details' accord with the 'whole.'" It is unclear exactly to what "details" and "whole" he was referring, but I suspect that he was troubled by the incommensurability of traditional and contemporary vernacular. A *new language* was necessary to consider the texts, seeing as the clichés of tradition tended to no longer satisfy, and that the world had matured to the point that speech must be more circumspect, less dogmatic, and open to a new vocabulary.

Rav Kook's critique of the language of tradition anticipated Jean-François Lyotard famous description of the postmodern condition as one of "incredulity toward meta-narratives," i.e. suspicion toward explanations – typical of the Enlightenment, and as a result, of Modernity – undergirded by confidence in the supremacy of human reason, purporting to apprehend the objective nature of reality independent of man's intuition or opinion. Rav Kook was likewise dissatisfied with conventional "narratives" that recycled rather than *generated* new ideas.

If I could attempt a summary of the goal of my project, I would say it is to *generate* a new language for learning, one that relies not on conventional 'root-tree' analysis in the course of reading the text but on a *web of connections and associations*.

Part Two: An Approach to Learning

My approach is built on a tripartite process:

1. *Construction*: Delineating the building blocks of the Talmudic dialectic (*sugiya*) comprised of its lingual, historical, and textual-substantive components, and of the different documentary versions available (i.e. manuscripts and other textual witnesses). The operative questions are the informational 'What' and the casual-mechanical 'Why.' We wish to fully understand *what* is said and asserted and *why* it is so said (including the positions of the classic commentators, e.g. Rashi, Tosfot, Rif, Rambam, etc.). What are the *causes* leading to such statements and understandings?

We further wish to understand what *role* each stage of the *sugiya* plays (e.g. a question, an answer, an assertion, etc.) as well as their precise content and meaning.

2. *Deconstruction*: Identifying anomalies, inconsistencies, and 'indeterminacies' in the *sugiya*, ranging from lacunae to contradictions, lingual difficulties, caesura in textual flow, and philosophic questions emerging from the text. Here the operative questions are 'How' (i.e. how did such an understanding come about?) and the essential 'Why' (i.e. why is it difficult to accept? what are the essential problems with such interpretation?). A process of "de-stabilizing" and "un-familiarizing" oneself with the apparent text, taking apart, as it were, the *sugiya's* very structure.

3. *Reconstruction:* 'Rewriting' the text to provide a solution to apparent anomalies. In the traditional yeshiva approach it is customary to offer a *chidush* as the crescendo of a *shiur*. However, most often such a *chidush*, while maybe stemming from a difficulty in the text or commentary, only offers a solution via an *external* text, in essence achieving a re-reading of the text by pulling a rabbit out of a hat. Moreover, the problems the *chidush* seeks to resolve usually only pertain to questions of Halachic practice, and therefore it would be unusual for a *chidush* to shed light on, say, a difficulty of linguistics or ethics. When the *chidush* offers not a new reading of the text in question but instead seeks to reconcile it with another text altogether, the *chidush* is *forced to remain* within the legal-Halachic domain in which the problems originated. In the examples I provide below my approach is different: some of the problems are legal-Halachic but certainly not limited to such; more important, the *solutions* I prefer are based not on pulling a rabbit out of a hat but , as Kant's remarked concerning The Copernican Revolution,

> when he [=Copernicus] did not make good progress in the explanation of the celestial motions if he assumed that the entire celestial host revolves around the observer, tried to

see if it might not have greater success if he made the observer revolve and left the stars at rest." (Preface to *Critique of Pure Reason*)

That is, I prefer '**re**-orienting' oneself with respect to the original text rather than 'pull out' an unexpected rabbit.*

Part Three: Examples

In the examples that follow I would like to illustrate how I, together with my students, applied the lessons of the critical approach outlined in Part Two to a variety of Halachic, Talmudic, and philosophic issues.

* In one of Christopher Nolan's most important films *The Prestige* we recall how Michael Cain begins with a narration introducing the magician's credo: "Every great magic trick consists of three acts: the first is called "the Pledge"….the magician shows an object and asks you to inspect it to see it's in fact real ... The second act is "the Turn." The magician takes the ordinary something and makes it do something extraordinary. Now you're looking for the secret, but you won't find it because of course you're not really looking… [but] making something disappear isn't enough; you must bring it back. That's why every magic trick has a third act, the hardest act" the Prestige." "
In the trick we're shown a bird-cage which is then collapsed ostensibly killing the bird only to have the magician bring back a live bird ("the Prestige"). Little does the spectator know that in fact the bird was crushed and this is a new, live bird!

Example 1: Unlawful Usage

(TB *baba- metzia*, 43b)

1. *Construction*: The dispute between the houses of Hillel and Shammai (Mishna, *baba metzia* 43b) concerning the unlawful usage (or the intent thereof) of a bailment deposited into one's care (*shlichut yad*) involves a debate over hermeneutics as well as practical outcomes. According to the house of Shammai, if the custodian so much as even *thought* of committing unlawful usage he is liable (although the commentators, chief among them Rashi, add the qualification that he expresses his intention before two witnesses; such a requirement, though, is not mentioned in the Mishna). The house of Hillel, in contrast, contends that an actual act must occur and intent alone does not suffice to be liable.

The position of Hillel is congruent with common sense as well as with established Jewish jurisprudence and case law. One is not liable in either tort or criminal cases for thoughts alone. This dispute concludes the first section of the Mishna (*reisha*).

The Mishna then turns to what appears to be an unrelated case, whereby the custodian of a barrel of wine tilted the barrel while removing a small quantity of wine and the barrel broke, for which the ruling is that he is liable for the small quantity alone and not for the entire barrel. However, if he actually *lifted* rather than tilted the barrel he must pay for the entire barrel.

2. *Deconstruction*: The Talmud adduces another Tanaitic source (*brieta*) in which the hermeneutic differences between Shammai and Hillel become clear. The reason Hillel rejects Shammai's opinion is not due to common sense, but because the relevant verse states that he must actually "extend his hand." Shammai's position, however, makes sense in light of the very next verse: "For anything criminal" (*al kol dvar pesha*). The Hebrew construct "*kol dvar*," according to Shammai, means "liable even for the criminal *word*" (*dvar* a cognate of *dibbur*), that is, even for one's thoughts. It seems Shammai's position has some textual basis after all.

In response, Hillel interprets the verse "For anything criminal" as referring not to thought or *dibbur* (which strikes us as indefensible and unintelligible for how can one be liable for one's thoughts?) but to *any infraction*, which in this context means when the act is done indirectly via one's manservant or emissary (*shaliach*). Hillel believes that the verse means one can transgress even via a proxy. Yet this position contradicts the established Torah principle (TB kiddushin, 42b) that "there is no emissary for transgression" (*ein shaliach lidvar aveira*).

Let us take stock of what we have seen thus far: we have a compelling argument by Hillel against Shammai's assertion that one is liable for unlawful usage immediately when the thought enters one's mind. But we are then introduced to an another argument concerning the exegesis of the verse in which the problem arises with Hillel's position and not Shammai's, for it is Hillel's position that is untenable according to established Torah principles. Rather than Hillel's position being superior to Shammai's, now the reverse is true: Shammai justifies his position through a sensible reading of the verse, whereas Hillel's exegesis no longer seems acceptable. It must be pointed out that virtually no commentator, medieval or modern, has ever addressed this problem.

3. *Reconstruction*: Throughout this discussion we have read Shammai to mean that the custodian is liable even for his thoughts. If this is indeed Shammai's position, as it has always been read, than he has a good textual source to justify his reasoning: “For anything criminal.” Hillel is then forced to interpret that verse to mean something else, but their reading, that one is liable for transgression via proxy, is perhaps even more troubling than Shammai's. This problem, which throughout classic rabbinic history has been ignored, *really only emerges* if we take Shammai to mean that the custodian is liable even for his thoughts. But what if Hillel and Shammai are *in agreement* that the custodian is not liable for his thoughts and their dispute actually concerns something else?

We return to the second section of the Mishna (*seifa*). The Mishna states that one pays only for the small quantity of wine and not for the entire barrel if he only tilted the barrel but did not lift it. We expect that according to Shammai, had the custodian tilted the barrel and it broke while he removed the small quantity of wine, he still *would have had to pay for it the full barrel*, because he must pay even for his intentions, i.e. to lift the barrel.

But let us propose that the clause in the Mishna is not a contradiction of Shammai's position as we have thus far understood it, but rather that *Shammai's position is something else entirely,* and that the clause in the Mishna comes as a *response* to this alternative reading of Shammai. Perhaps Shammai did not mean that the custodian is liable even for the thought that enters his mind, but rather that he is liable when he attempts to perform unlawful usage *but is unsuccessful.*

If instead of lifting and subsequently removing the barrel, i.e. his original *thought*, the custodian *was only able to tilt it*, when it broke, he would, according to Shammai, still pay for the full barrel given that his *thought* was to remove it completely. It is against *this* position that the Mishna states that only the small quantity of wine need be compensated for, and not the full barrel. This would be Hillel's position and the basis of their true dispute. Only when one lifts the barrel and his *intention fully materializes*, then and only then would he pay the full value. By re-reading the argument itself we have thus achieved a resolution to a seemingly intractable and problematic text.

Example 2: The Rebellious Child

(TB *sanhedrin*, 68b and 72a)

1. *Construction*: The "rebellious child" (*ben sorer umoreh*) incurs the death penalty (Deuteronomy, 21:18-21). The punishment hardly seems to fit the crime, as truth be told there is no real crime to speak of just good ol' adolescent, sophomoric behavior. The Mishna states that the child is "judged according to his end" (*nidon al shem sofo*), i.e. for his future actions, not his present ones (TB Sanhedrin 71B), suggesting that we *infer* his future behavior from his present behavior.

Needless to say, such a conclusion stands against our moral sensibility as well as any normal legal standard, not to mention the very standard that tractate Sanhedrin itself requires for a case of capital punishment – namely, two valid, unrelated witnesses, which thereby precludes the very two witnesses the Torah *charges* to testify against the rebellious child and bring him to court, i.e. his mother and father (Deut. ibid. 19-20). For this and other reasons, there are some in the Talmud itself who opine that such a case was never meant to serve as anything but a hypothetical exercise, the disentangling of which earns one a reward for intellectual engagement (*drosh v'kabel sachar*).

2. *Deconstruction*: Yet the latter suggestion is equally difficult to accept, not only because it sounds highly apologetic, but for theological and hermeneutic reasons as well. Since the Torah does not suggest in the least that we are dealing with a hypothetical situation, it seems very unlikely from a hermeneutic standpoint that this is in fact the case. Theologically, it raises a fundamental question whether the Torah ever speaks in hypotheticals to begin with. Such a suggestion is in fact only the minority opinion.

To resolve this conundrum, let us first address a later Mishna in the same vicinity (ibid, 72a). The first section of this Mishna states that a landlord may legally kill a nighttime home-invader (*haba b'machteret*) if he fears for his life. The reason given for this dispensation is the same one given to justify the punishment of the rebellious child: the home-invader is "judged according to his end." How could this be? Is it not the home-invader's current actions and not his future ones that threaten the landlord (think Hamlet [III,iv] slaying what he took to be an 'intruder' hiding

behind the curtains in Gertrude's room while, unbeknownst to Hamlet at that moment, it was actually advisor to the king and the father of his beloved Ophelia, Polonius)?

I'd like to add though another, and very different, intertextual consideration to the deconstructive reading:

Herman Melville's *Billy Budd* can be said to be an artful allegory about the execution of Justice (by Captain Vere) - or the lack thereof – in light of the opposition between Good (Billy) and Evil (Claggart). However, Barbara Johnson had convincingly demonstrated in her seminal paper ('Melville's Fist: The Execution of "Billy Budd"') that such binary opposition is precisely that which is called into question:

> If Billy Budd is indeed an allegory, it is thus an allegory of the questioning of the traditional conditions of allegorical stability. The fact that Melville's plot requires that the good (Budd) act out the evil designs of the bad (i.e. killing Claggart) while the bad suffer the unwarranted fate of the good indicates that the real opposition is less the static opposition between evil and good than the dynamic opposition between man's "nature" and his acts, between human "being" and human "doing."
>
> … the proverb "handsome is as handsome does" can thus be read as a statement of the compatibility between constative language ("being") [which is an instrument of cognition: it reports, describes, speaks *about* something other than itself] and performative dimensions of language ("doing") [which itself functions as an act like promising, swearing, betting]. But what Billy's act dramatizes is precisely their *incompatibility*. Melville creates a reversal between the postulate of continuity and the postulate of discontinuity between doing and being, performance and cognition.

When considering the execution of the *ben sorer u'moreh* we are told that his unruly actions are indicative of his rebellious disposition; that we can extrapolate from his acts in the present to his true nature and future criminal career hence, "*nidon al shem sofo.*" But, as we've just seen, such 'stability' is far from conclusive.

We return to the Mishna: The second section of the Mishna discusses in what cases the home-invader would also *incur a fine* for damage caused to anything in the house while breaking in. The Talmud treats the two sections of the Mishna independently of one another, operating under the assumption that the two issues under discussion, killing the home-invader and making him pay a fine, are naturally antithetical to one another. Anyone condemned to death, even when the punishment is not carried out, does not incur any monetary payments for damages. Yet why then should the two issues come together in the very same Mishna if there exists no connection between them?

The only option is that in the present context the phrase "judged according to his end" refers not to the landlord's dispensation to kill the home-invader but *to the matter of the payments,* that is, the home-invader must pay depending on "his end," i.e. whether or not he was killed by the landlord. If he stays alive he must compensate the landlord, but if he is killed no debt is incurred by his estate or heirs. Thus are linked the two sections of the Mishna, and thus the Talmud is confident in treating them as separate issues.

3. *Reconstruction*: It is now plausible to propose that, similar to the discussion of the home-invader, in which the phrase "judged according to his end", was, determined *not* to refer to his liability for future actions, so too in the discussion of the rebellious child the same phrase must be read differently. The correct interpretation need not concern us here: suffice it to say that we have opened a new vista into further inquiry. I simply wished to demonstrate that when subjecting the *sugiya* to our method such a solution would make itself available.

Example 3: The Second One Blasts

(TB *Rosh ha-Shana*, 32b)

1. *Construction*: The Mishna states that on Rosh Hashana one person "descends before the Ark" (*yored lifnei hateiva*) to lead the prayers while "the second one blasts [the shofar]" (*hasheini matkia*). In the Talmud's exposition much attention is given to the fact that it is not the person leading the *shacharit* service who "blasts the shofar," but the rather it is "the second one," the person who leads the second prayer (i.e. *mussaf*), who does so. The Talmud inquires as to why the custom is to wait until *mussaf* to blow the shofar and not to blow immediately during *shacharit*. The only answer it provides is pseudo-historical and has since been challenged by many scholars, and is not worth elaborating here.

2. *Deconstruction*: More interesting than the Talmud's problem of blowing the shofar during *shacharit* vs. during *mussaf* is that no attention whatsoever is given to the curious conjugation of the word "blasts" (*matkia*), which is written in the erroneous *hiph'il* form rather than in the proper *pa'al* form (*tokeah*).

3. *Reconstruction*: We suggest, given the odd *hiph'il* form, which typically denotes causing an action to happen rather than performing one, that it is a reference to our custom (whose origins have thus far been unclear) whereby the blower is accompanied by a *second* person who *calls out* the type of blast to be blown (short, long, etc.) thereby 'causing' or 'allowing' as it were the blowing to take place. This reading is confirmed by the latter section of the Mishna, which states

that during the recitation of the *Hallel* "the first person reads" (*mekareh*). Here, too, the conjugation is unusual (*mekareh* instead of *koreh*), but in this case we have evidence from other Mishnaitic sources (TB Sukkah 38a-b) that in fact the leader (*chazzan*) would *call out* the *Hallel* and the community would respond – he 'caused' their response.

Example 4: Interruptions During the *Shema*

(TB Brakhot, 13b-14a)

1. *Construction*: The Mishna (Brakhot 13a) states that one is permitted to interrupt one's recitation of the *shema* in order to 'greet' another person. The normative ruling follows R. Yehuda's position that the dispensation applies when responding in greeting even to an ordinary layperson (*meshiv shalom lekhol adam*), that is, not to a person one would normally fear, such as a ruler.

2. *Deconstruction*: The Halacha in this instance is perplexing, given the importance commonly ascribed by Jewish tradition to the recitation of *shema*. The recitation of *shema*, being the most significant declaration of Jewish faith, seems incommensurate with a dispensation for interruptions, let alone for interruptions to answer the pleasantries of any layperson. But the Talmud never addresses this serious incongruity and instead treats it as though it were the natural thing to do.

3. *Reconstruction*: The Jewish-French philosopher Emmanuel Levinas argues that "language is not only a system of signs ... [It] belongs to the order of morality," and that the fundamental relation between the Same and the Other ... is primordially enacted as conversation." It is through language and conversation that we accept the Other and *fulfill our ethical responsibility* to him. "To speak," says Levinas, is to "make oneself known to the Other. The Other is not only known, he is greeted."

Can man's ethical responsibility toward his fellow, the Other, fulfilled through conversation and greeting, actually take precedence over the need for total devotion while in the midst of reciting the *shema*? Levinas's answer is instructive:

> How does Judaism conceive of humanity? How will it integrate the need for virtually vertiginous freedom into its desire for transcendence? By experiencing the presence of God through one's relation to man. (*Difficult freedom*)

The *shema* is not diminished or profaned by the sudden interruptions for the sake of greeting; greeting a passerby neither corrupts one's *kavanah* (intent) nor the act of submission that the *shema* entails. On the contrary, it is the interruptions themselves that allow the submission to be *realized*. The face that man encounters, the Other who turns to man in his "Infinite Separateness," in his Otherness, imbues the *shema* with meaning.

Example 5: *Psukei D'zimrah*

I have observed time and again that when *tfilah* is taught in schools it almost invariably concerns the *shmoneh esreh*, and for good reason: the *shmoneh esreh* is the climax of the prayer, and includes blessings of praise, petition, and thanksgiving, the three essential components of prayer, corresponding not only to Halachic requirements but to psychological and theological ones as well. It seems to me, however, that the *shmoneh esreh* is by and large self-explanatory. *Psukei d'zimrah* deserves, in my view, a great deal more attention because of its poetic style and provenance, which is predominantly from the book of Psalms and as such is often difficult to understand. Therefore in the following example I hope to illustrate what sort of questions I attempt to elicit from a student when studying the *psukei d'zimrah*.

1. *Construction*: The relatively long *mizmor* of "*Hodu l'Hashem ki'ru bishmo*" is recited at the very beginning of *psukei d'zimrah* according to the custom of Sfarad, and shortly after the beginning according to the Ashkenazic custom. The *mizmor* was first recited by King David as he brought the Holy Ark to Jerusalem. In it he sings the praise of Hashem (as do all the hymns) and toward its conclusion the *siddur*, as a complementary addition, appends verses from other sections of Psalms to the *mizmor*.

The first 'original' section of the *mizmor* (before the added parts) can be summarized roughly as praise of Hashem, who in contrast to false deities is the Creator and not the created and who – despite orchestrating the great symphony of the universe and all its history, as shall one day be

recognized by all – is nevertheless the intimate, personal God of Israel. Thus it speaks of God choosing the Patriarchs, His covenant with them, and His promise to them of the Land of Israel.

2. *Deconstruction*: The problem begins when we consider the source of this *mizmor*: as mentioned, the predominant source of virtually all *psukei d'zimara* is naturally from the book of Psalms, always the first source of our common liturgy. In the rare cases where sections of *tfilah* are not drawn from Psalms (for example, 'The Song of the Sea'/*Az Yashir*) we can posit that these other sources contain an important idea worth including and for which no adequate parallel is to be found in Psalms.

But in our case we are confronted with an anomaly, because our *mizmor* is taken from, of all places, the book of 1 Chronicles, for which there is indeed a parallel in Psalm 105 and which is almost word for word the very same *mizmor.* What is more, the composition of the book of Psalms *predates* that of Chronicles. The question is seldom if ever asked, What led the redactors of the *siddur* to choose from a book which is not a book of prayer at all but, as suggested by its name, a book of *chronology*, rather than from Psalms?

3. *Reconstruction*: Let us examine what differences, if any, there might be between the two texts and how they might prove to be significant. Some are admittedly minor, e.g. יצחק-ישחק; פיהו-פיו; but some seem to be more significant: אברהם-ישראל; זכר-זכרו; בהיותם-בהיותכם. I suggest that the *perek* in Psalms is composed with a 'universal tendency.' Thus Abraham is mentioned (*Av hamon goim*, "a patriarch of many nations") rather than Israel, which is more particular. The

same can be said regarding אדם-איש. "*Adam*," as it is used in Psalms, is a general term for humanity.

A more significant difference lies with the seemingly innocent twin terms בהיו**תם** (Psalms) vs. בהיות**כם** (Chro.) and זכר (Psalms) vs. **זכרו** (Chro.). These changes go beyond the aforementioned modification from universal to particular: they speak of Israel in present-tense and in second-person (זכרו, בהיותכם), in contrast to past-tense and third-person (זכר ,בהיותם). A still more radical alteration is the fact that זכר speaks of *God* remembering, whereas זכרו speaks of *Israel* doing so. Perhaps it was for this reason that the chapter from Chronicles was chosen over that from Psalms: it requires man's direct involvement in a task that is reserved in Psalms to God Himself, as if to say that man must assume a Godly responsibility and take a proactive role in *tfilah*, a role that strives to emulate Hashem's own ways (*imitatio dei*).

Such a conclusion suggests further a theology that, rather than viewing *tfilah* purely as an act of submission and deference (*pace* Prof. Y. Leibowitz), one that emerges perhaps from existential crises (*pace* Rabbi Solovietchik), instead views it as an act of recognition of man's place and ability to rise to the call of his Creator and realize his destiny as *Tzelem Elokim.* In the words of Rav Kook:

> It is the object of our desires that is elevated by *tfilah*; it reveals the distinction of man's will as well as his sanctity. The very essence of *tfilah* is the elevation of one's will and drive, when the one's needs and desires are expressed through *tfilah*, it inexorably bonds with the very Source of all cravings and will. Throughout *tfilah*, when man turns to God from the depths of his will his essential potency ascends with it, elevating his human will to unite with God's. (*Orot Hakodesh*)

And:

> *Tfilah* is by its very definition an act of clinging onto God. Thus clinging changes the creature (lit. the form) to resemble his Creator. (*Arpilei Tohar*)

In light of these weighty implications embedded in the language found in Chronicles, the redactors of the siddur may have seen fit to take the *mizmor* from there rather than from Psalms.

Part Four: Provisional Conclusions

I do not wish to advocate herein a theory about truth, that is to say, I do not mean to propose that my method possesses any absolute authority. However, such readings do find validity in their cogency and in their relation to the learner. As Rav Kook writes (echoing similar ideas espoused by Maimonides in his *Guide for the perplexed* 1:59-61):

> In relation to the divine, Godly truth, no difference subsists between the imagined faith and apostasy; both do not provide the truth. It is faith, however, which approaches and leads to truth, whereas apostasy leads to falsehood. (*Arpilei Tohar*)

If I have succeeded in imparting my conception of what it means to be a 'reader,' then others might come along in the future to offer superior readings to my own. On the other hand, I am not suggesting a type of moral relativism either. The main thrust of my argument is that when 'reconstructing' a new interpretation we not only engage in an exciting, creative endeavor that is at the same time *heuristically* vital, but we also offer a solution to a problem that has previously

either gone unnoticed or has been inadequately addressed, and thereby we dive deeper into our tradition.

Rather than a pure deconstructionist/Derridan position which elects to remain perpetually within an 'indeterminate' space, rejecting conventional binary oppositions and thereby granting all readings equal validity, I prefer to be, in Hamlet's words, "a little more than kin and less than kind." I adopt Stanley Fish's attitude – himself a prominent literary critic of post-structural leanings – which recognizes a preference of certain readings over others through what he calls a "community of readers." (*Is there a Text in this Class?*)

As Christian theologian N. Murphy puts it:

> Texts' ability to perform 'speech acts' (using J.L Austin's famous term) depends on the existence of a community with shared conventions … textual stability is in large measure a function not of theories of interpretation but of how interpretive communities choose to live. (*Anglo-American Postmodernity*)

And as Alasdair MacIntyre writes, "To be outside all traditions is to be a stranger to enquiry; it is to be in a state of intellectual and moral destitution."

When engaging in the three-pronged process described above, how do we adjudicate between *competing* traditions? In such cases MacIntyre proposes to construct a narrative account of each tradition: the crises each has encountered (e.g. incoherence, details which cannot be explained, etc.) and how it has or has not overcome them. Comparison between such solutions or with the larger tradition might show one to be superior to the other (if, for instance, one makes progress where the other becomes stagnant):

What we have to aspire to is not a perfect theory, one necessarily to be assented to by any rational being, invulnerable to objections, but rather the best theory to emerge so far in this class of theories. It follows that this kind of writing can never be brought to completion. The possibility has always to be left open that … some new challenge to the established best theory so far will appear and will displace it. Hence this kind of [writing] involves a form of fallibilism; it excludes claims to absolute knowledge. Nonetheless if some particular scheme has successfully transcended the limitations of its predecessors to date and has then confronted successive challenges from a number of rival points of view … while avoiding their weaknesses and limitations … then we have the best possible reason to have confidence that future challenges will also be met successfully. (*After Virtue*)

"... למצא דברי חפץ וכתוב ישר דברי אמת."

"סוף דבר הכל נשמע את האלוקים ירא ואת מצותיו שמור כי זה כל האדם."

Addendum: Appraisals -

Example 1:

This is a topic which I taught only in the 11-12th division (boys and girls). It is an example which can perhaps be taught in the 9-10th division however I chose not to because the upper classmen had previously studied with me *masechet kiddushin* and were better equipped to learn this topic due to their familiarity with the issue of *ein shalich l'idvar aveira*. As a matter of fact, it was precisely for this reason that I chose to continue the following year to teach *sanhedrin* in order to capitalize on this prior knowledge.

I believe that a good teaching practice is to allow for questions to emerge organically through the student's prior knowledge or, as discussed in the first section, through their own **web of beliefs** and **experience**, rather than the teacher introducing it and inserting it in a somewhat contrived way. Thus, the class knew by the time we studied this topic enough to question the position of Hillel without my intervention which made the study more natural and, in my estimate, more pedagogically sound.

On a tangential note, one helpful criterion to utilize when deciding which Talmudic tractate to study can be the degree to which prior knowledge acquired in the previous year(s) is exploited. It seems to me a debate that many schools return to annually as they make decisions for the following year; even in schools that have a set four-year cycle the standard - if exists - is not always pedagogically driven. An example of an extraneous consideration, at least in my view, which I've encountered is choosing different tractates from divergent *s'darim* of the Talmud less the two tractates be repetitive. Yet any serious knowledge of the Talmud would show that no two sections are really alike. I'd argue the reverse: if it seems somewhat 'repetitive'- so be it. Of course complete repletion is not what I'm referring to for then it would be simply superfluous.

The advantage of such alleged repetitiveness is that it affords the opportunity to deepen the ideas encountered previously, making it easier to retain that knowledge. Be that as it may, it doesn't strike me as a formidable or convincing argument.

Example 2:

This is a topic which I taught in both divisions but to varying degrees. Teens often are very sensitive to injustice or to what they perceive as unfairness which makes this topic one which they might have strong feelings about. However, the inclusion of *Billy Budd* and Barbara Johnson's paper into the mix was not suitable in my judgment for all divisions and as a matter of fact, the Johnson paper was not assigned even to the upper Honors division but was studied as part of the Tikvah course for the very advanced students who've already displayed a strong proclivity toward reading and rigorous, critical thought (under the aegis of Tikvah foundation).

Example 3:

Taught in all divisions yet the upper division - many of whom partake in the Hebrew advanced course *bechina yerushalmit* administered by Hebrew University – had an easier time detecting on their own the grammatical anomaly.

Example 4:

This topic is appropriate for all students. Interestingly, I've found that students from the lower division(9-10) were quicker to pick up on this odd Halacha, perhaps because they were less accustomed to the way the Talmud speaks and weren't as predisposed. Be that as it may, the Levinas references were studied in the Tikvah course but his attitude was alluded to and spoken of with the upper division.

Example 5:

This was discussed in all divisions. With the upper division some added readings were assigned to broaden and deepen the discussion (e.g. some excerpts from '*The Lonely man of Faith' by* Rabbi Soloveitchik , essays on prayer by Yeshayahu Leibowitz and Abraham Joshua Heschel).